W.P.(C) No. 9586 of 2005

Misc. Case No. 11552 of 2015
18.08.2015

Heard learned counsel for the petitioner.

The petitioner has filed this application for modification of order dated 15.05.2015.

Learned counsel for the petitioner submits that in the order dated 15.05.2015, inadvertently in 2nd paragraph, it has been mentioned as Economics in place of History. Therefore he seeks for correction of the same.

Considering the contention raised, the order dated 15.05.2015 is recalled and the following order is passed.

Heard Mr. S. Mohanty learned counsel for the petitioner and Mr. B. Senapati learned Addl. Government Advocate for the State.

The petitioner who was working as a Reader in History in Rayagada Women\022s College Rayagada seeks for a direction to the opposite parties to release grant-in-aid 1/3rd w.e.f. 01.09.1986 2/3rd w.e.f. 01.09.1988 and full grant-in-aid w.e.f. 01.09.1990.

It is further submitted that the case of the petitioner is covered by the ratio of the decision rendered by this Court in the case of Nabaghana Nanda -Vrs.- State of Orissa and others and in OJC No. 12385 of 1997 disposed of on 10.04.2001.

It is further submitted that one Golam Mahammad Islam Khan Lecturer in Mathematics (1st post) of Netrananda Sahoo Women\022s College Kakatpur approached this Court in W.P.(C) No.28601 of 2011 and direction has been issued to the opposite parties to examine the matter in the light of judgment rendered in the case of Nabaghan Nanda (Supra). In the event the appointment of the petitioner has been approved she should be given all the financial benefits following such approval. It is further submitted by the learned counsel for the petitioner that the appointment of the petitioner has been approved by the Director Higher Education Odisha Bhubaneswar.

Considering the relief sought and upon hearing the learned counsel for the petitioner and the learned counsel for the State this Court disposes of the writ petition directing the opposite parties to examine the case of the petitioner in the light of the judgment rendered in the case of Nabaghan Nanda (Supra). In the event the appointment of the petitioner is approved all the financial benefits shall be given to her following such approval. The entire exercise shall be completed as early as possible preferably within a period of three months from the date of production of certified copy of this order. The arrear dues if any shall be paid in consonance with the judgment rendered by the apex Court in Union of India Vs. Tarsem Singh, 2008 (8) SCC 648.

Requisites for communication of this order along with all Annexures to opposite party No.2 be filed within a week.

Urgent certified copy be granted on proper application.

With the aforesaid modification, the Misc. Case is disposed of.

Dr. B.R. Sarangi,J.